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REPORT OF THE SECRETARY-GENERAL, CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The Security Council, by its resolution 937 (1994) of 21 July 1994, expanded the mandate of the United Nations Observer Mission in Georgia (UNOMIG) to undertake a number of tasks in relation to the 14 May 1994 agreement on a cease-fire and separation of forces (S/1994/583, annex I). It also extended UNOMIG's mandate until 13 January 1995. The present report is submitted prior to the expiry of UNOMIG's mandate.

II. POLITICAL ASPECTS

2. Since my previous report of 14 October 1994 (S/1994/1160), a further round of negotiations, which were convened by my Special Envoy for Georgia, with the objective of making progress towards a comprehensive settlement, took place at Geneva from 15 to 18 November 1994. The negotiations revolved mainly around refugee issues and political matters.

3. The very slow pace of return of refugees to Abkhazia dominated the agenda. The Abkhaz side refused to sign a declaration that would have allowed for a speedier return and in larger numbers. It did, however, agree to reduce the review period for consideration of applications from four to two weeks. Regarding political questions, both sides accepted, as a basis for discussion, a draft paper that had been prepared jointly by the United Nations, the Conference on Security and Cooperation in Europe (CSCE) (now redesignated the Organization for Security and Cooperation in Europe (OSCE)) and representatives of the Russian Federation. The draft paper outlined possible political and legal components of the future status of Abkhazia within a union State and respecting the territorial integrity of Georgia.

4. On 26 November 1994 the Supreme Soviet of Abkhazia adopted a constitution for Abkhazia which declared Abkhazia a "sovereign democratic State". The Supreme Soviet, in a statement issued the same day, declared that "Abkhazia ... is not breaking off the process of negotiations with Georgia, but is prepared to pursue it with a view to the establishment of a union State of two equal

subjects, and it proposes that the process should be invigorated". The Abkhaz leader, Mr. Ardzinba, was "inaugurated" "President of the Republic" on 6 December 1994. The Council's reaction was contained in the presidential statement of 2 December 1994 (S/PRST/1994/78).

5. My Special Envoy had originally intended to invite both sides to hold further talks on the draft political paper at the expert level in Moscow starting on 14 December. However, on 1 December, he was informed that the Georgian side had withdrawn its acceptance of the paper as a basis for discussion. After further information was received on 12 December that the Georgian side would not send any representative to the expert meeting, it was cancelled.

6. I have explored, on a number of occasions, including during my visit to Georgia from 31 October to 2 November, the possibility of my holding a meeting with Mr. Shevardnadze and Mr. Ardzinba in order to move the political process forward. To date, however, these efforts have been to no avail, owing in part to a general preoccupation with events taking place elsewhere in the Caucasus region.

7. In the circumstances, I can only describe the political process as being at a standstill.

III. HUMANITARIAN SITUATION

8. The voluntary repatriation to Abkhazia of refugees and internally displaced persons started in mid-October 1994. Out of an estimated total of 250,000 refugees and displaced persons, some 300 persons have so far returned under the procedures established by the Quadripartite Commission. While the start of the repatriation was an encouraging development, the volume of movement has been very disappointing. The Office of the United Nations High Commissioner for Refugees (UNHCR) proposed at the quadripartite meeting held on 26 October 1994 that a timetable be set for the repatriation. Meanwhile, reports by both UNHCR and UNOMIG have indicated that a significant number of persons, estimated at several thousands, have repatriated spontaneously.

9. During the Geneva talks held in November, a statement on the question of refugees and displaced persons was issued jointly by the United Nations, the then CSCE and the Russian Federation requesting the parties to take a number of specific steps to speed up the pace of repatriation.

10. Since the end of November, however, formal repatriation has virtually halted. The issue of the timetable was again addressed at the meeting of the Quadripartite Commission held on 24 November, but no progress was achieved. The only point on which the views of the parties converged was that a high-level political decision was required to break the deadlock. UNHCR has made some concrete proposals to the co-signatories of the Geneva statement regarding revitalization of the work of the Quadripartite Commission.

11. Despite isolated incidents, the Abkhaz authorities have made efforts to ensure the security of returnees. However, the security situation in the Gali

region remains extremely precarious and several serious security threats have been reported. These are attributed to actions carried out by uncontrolled groups and formations and it is noteworthy that the statement signed in November explicitly appealed to the parties to prevent such groups from entering the security zone. Sustained efforts are required to create a secure climate conducive to repatriation. Inevitably, humanitarian programmes have been affected by the still unstable security situation. In addition, there continues to be a danger of mines; the mine-awareness education programme has progressed at a slower pace than anticipated.

12. The lack of momentum in repatriation is also a major constraint in addressing the needs of spontaneous returnees and other affected members of the population. In the absence of a clear commitment by the parties to the quadripartite process, the financing of humanitarian programmes is becoming increasingly difficult. The funding situation of UNHCR's programmes is so critical that consideration is being given to whether it is possible to maintain the present staffing level for an operation that appears to be facing stalemate.

13. The repeated delays in the repatriation process impose a heavy additional burden on the rest of Georgia. The health structure in Georgia is deteriorating because of lack of funds for the purchase of medicines and vaccines, and other problems and shortages have led to severe public health emergencies, such as outbreaks of measles, diphtheria and hepatitis and the reappearance of tuberculosis. This exacerbates social tensions in the country and makes the speedy repatriation of persons displaced by the conflict in Abkhazia a matter of considerable urgency.

14. An inter-agency assessment mission to the Caucasus, headed by a representative of the Department of Humanitarian Affairs, is being undertaken in mid-January 1995 and will evaluate the needs of Georgia and the other countries in the region for the coming year, for the purposes of preparing the next inter-agency consolidated appeal for the Caucasus (April 1995-March 1996). The current appeal for Georgia, which is aimed at bringing emergency relief to people displaced by the fighting in Abkhazia, and expires in March 1995, has a 52 per cent shortfall in contributions.

15. Council members will recall that the Voluntary Fund mentioned in paragraph 10 of Security Council resolution 937 (1994) has been established. On 23 November 1994 I appealed to Member States to contribute to that Fund. No contributions have been received to date.

IV. OPERATIONS OF UNOMIG

16. UNOMIG has been fulfilling its tasks as mandated by the Security Council in resolution 937 (1994). It has operated mainly in the security and restricted weapons zones and in the Kodori valley. It has also monitored the weapons storage sites on both the Georgian and Abkhaz sides. Each of the weapons storage sites is guarded by representatives of the respective side.

17. UNOMIG has reached its full authorized strength of 136 military observers. As mentioned in paragraph 11 of my previous report to the Council (S/1994/1160),

the operation has its headquarters in Sukhumi with part of the headquarters staff located in Pitsunda. It has three sector headquarters - at Sukhumi, Gali and Zugdidi - with the largest number of military observers based in Gali. Two semi-static observation posts have been established in the Gali sector at the boundary between the security and restricted weapons zones (see annexed map). The liaison office in Tbilisi is now established.

18. The full deployment of UNOMIG has allowed it to intensify its operations in the security zone. These activities are undertaken in close coordination with the peace-keeping force of the Commonwealth of Independent States (CIS). Priority is given to two areas - the area west of Zugdidi, where most of the spontaneous return of refugees and internally displaced persons takes place, and the area along the Gali Canal. The aim of this intensification is to observe, and if possible prevent, the infiltration of armed personnel into the security zone, thus contributing to the creation of conditions conducive to the return of refugees and displaced persons. The parties have been informed of the intensification of activities by UNOMIG and the CIS peace-keeping force.

19. Although relatively few armed persons have actually been prevented from entering the security zone, closer monitoring has increased the confidence of the local civilian population, and the incidence of looting seems to have dropped from its previous very high level.

20. The mission has been receiving cooperation from both the Government of Georgia and the Abkhaz authorities. Apart from a few isolated incidents, which are normally solved quickly, the military observers enjoy the freedom of movement necessary to perform their tasks. The attitude of the local population towards UNOMIG has been generally positive.

21. The exchange of letters with the Government of Georgia on the status of UNOMIG has been completed.

22. The establishment of the UNOMIG liaison office in Tbilisi has contributed to the strengthening of cooperation between UNOMIG and the OSCE office in Tbilisi.

V. SITUATION ON THE GROUND

A. General

23. The situation in UNOMIG's area of operations has generally been stable but tense. The crime rate in the area continues to be high; sporadic shooting is a daily occurrence, especially in the Gali region, and local authorities in that region have been unable to control banditry. It is the assessment of UNOMIG that no direct threat exists against its personnel but that the security situation demands vigilance.

B. Security and restricted weapons zones

24. The parties continue to comply with the 14 May agreement on a cease-fire and separation of forces. All armed forces and heavy military equipment have been withdrawn from the security zone and no heavy military equipment remains in the restricted weapons zone.

25. Attempts to reintroduce military equipment into the zones have occurred. Such attempts are generally made with the justification that the equipment is necessary to support the activities of the police and/or the militia. Equipment has been withdrawn after a protest from UNOMIG and/or the CIS peace-keeping force. Armed groups from both sides have also attempted to infiltrate the security zone. Most of these incidents have been handled on the spot by the CIS peace-keeping force, which has in some instances also disarmed infiltrators, with the assistance on occasion of UNOMIG.

26. Council members will recall the difference of opinion between the Government of Georgia and the Abkhaz authorities as to the type of personal arms to be allowed in the restricted weapons and security zones; the Abkhaz carry automatic rifles, whereas the Georgian police carry pistols. That difference in level of armament still exists and it is UNOMIG's assessment that it is unlikely to change.

27. Although possession of hand-held weapons in the security zone requires authorization and registration, it is likely that a considerable number of such weapons are still present in the area.

28. Robbery and looting throughout the zones are a regular occurrence. These incidents are especially frequent in the Gali region, where the number of ambushes by unknown assailants has been on the increase. Some of these ambushes have been carried out by persons entering the region from south of the Inguri river. The CIS peace-keeping force, which has night-vision equipment, has informed UNOMIG that some of the infiltrating groups are clearly operating in a military manner. There is no evidence that such activities have the support of the Government of Georgia: in some instances they seem to be carried out locally with the aim of destabilizing the situation and in others they appear to have the character of private vendettas.

C. Kodori valley

29. As described in paragraphs 22 to 24 of my previous report (S/1994/1160), the CIS peace-keeping force carried out an operation called "search and explain" in the Kodori valley between 5 and 13 October 1994. It was monitored by UNOMIG as well as by representatives of the Government of Georgia, the Abkhaz authorities and the Svans (the inhabitants of the valley).

30. The operation confirmed to the Abkhaz authorities that Georgian troops were no longer present in the valley and the Svans were informed of the details of the 14 May agreement. The CIS peace-keeping force also ensured that heavy military equipment was either withdrawn from the valley or destroyed. During

the operation a number of mines and caches of ammunition were found and destroyed.

31. Upon completion of the repair of the main road leading into the valley, the CIS peace-keeping force established two checkpoints, which it manned. They are intended to reassure the Svans that their security will be assured.

32. UNOMIG had continued to patrol regularly in the valley until November of last year, when weather conditions prevented it from doing so. Efforts are continuing to provide UNOMIG with the necessary capabilities to carry out the patrols. The CIS peace-keeping force has maintained two observation posts, in Lata and Azhara, and the above-mentioned two checkpoints. The force has about 100 personnel on both sides of the valley. The Abkhaz side maintains a post with approximately 15 personnel 5 kilometres east of Lata, and the Svans a post to the east of the repaired road.

33. Life in the valley has largely returned to normal. The total population is estimated at 3,500, all living east of the now repaired road. Schools have started again, but classes are not held regularly. Regular meetings between Abkhaz representatives and the Svan leaders are taking place, normally in the area of the repaired road.

34. The relationship on the ground between the Abkhaz and the Svans has improved substantially. However, the Svans are concerned about their future since Abkhaz political leaders still assert their intention to prosecute Svans who fought against Abkhazia. The Svans will resist such a move if it is implemented. They are in possession of many hand-held weapons and there are indications that they may also have heavier weapons.

VI. COOPERATION BETWEEN UNOMIG AND THE CIS PEACE-KEEPING FORCE

35. Cooperation between UNOMIG and the CIS peace-keeping force has proceeded along the lines described in my report of 12 July 1994 (S/1994/818, paras. 14-17). Exchanges of information, mutual assistance and joint patrolling are regularly taking place and the cooperation has continued to be satisfactory.

36. UNOMIG and the CIS peace-keeping force continue to coordinate the execution of their respective mandates. The Chief Military Observer of UNOMIG and the Commander of the CIS peace-keeping force meet once or twice a week to exchange views and information regarding the prevailing situation and coordination of the operation. Their principal subordinates meet almost daily to exchange information and to plan the practical aspects of the cooperation. UNOMIG team sites and patrols have frequent contacts with the CIS peace-keeping force's posts and patrols.

37. The CIS peace-keeping force has been conducting its operations within the framework of implementation of the 14 May agreement. Any variation from its agreed tasks has been made in consultation with the parties.

38. Council members will recall that I have initiated an exchange of letters with the Chairman of the Council of Heads of State of CIS to establish an

appropriate arrangement on the respective roles and responsibilities of UNOMIG and the CIS peace-keeping force as regards the 14 May agreement. That exchange has not yet been completed.

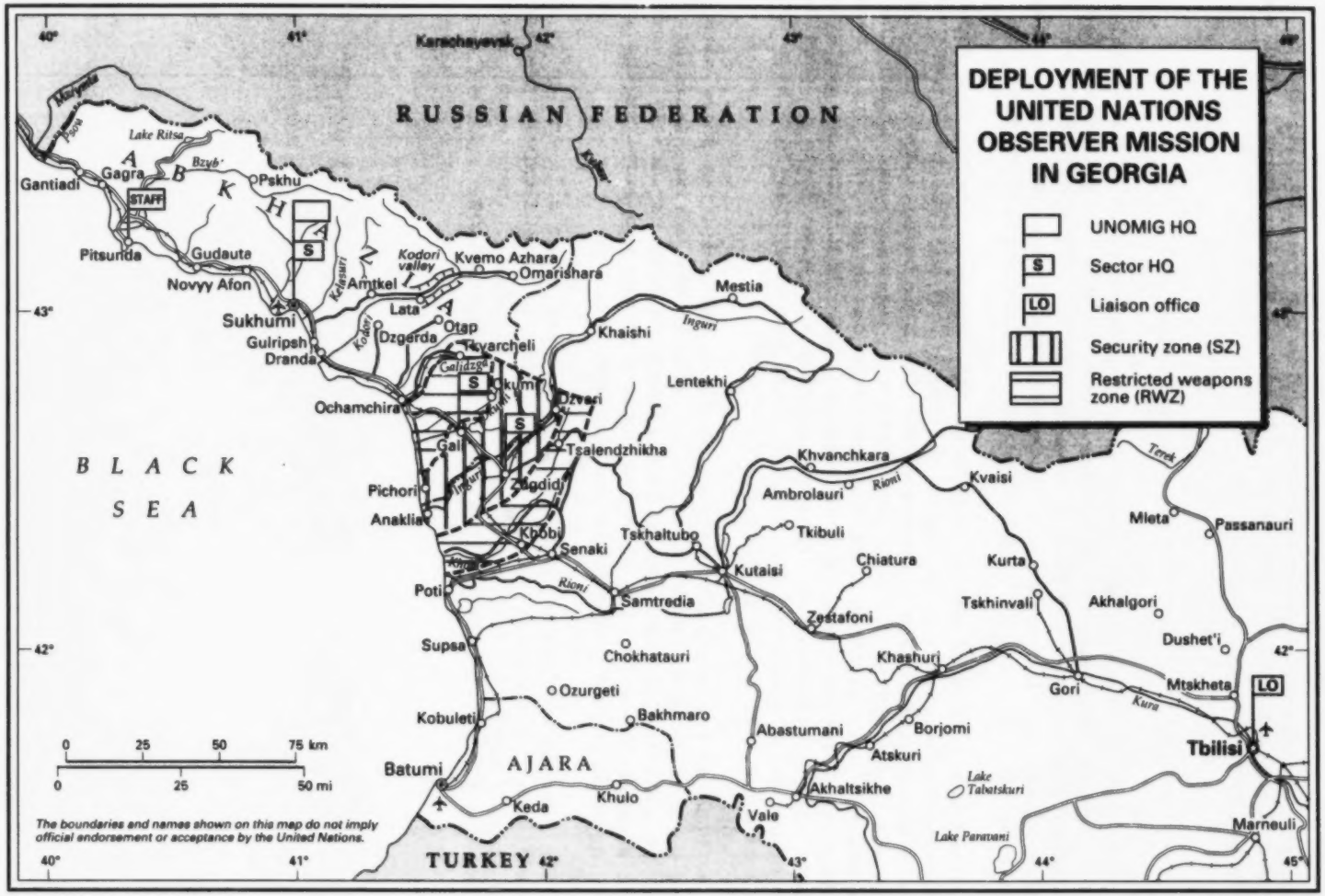
VII. OBSERVATIONS

39. As I have reported above, the political process is at a standstill. Moreover, there have been few substantive results since negotiations for a comprehensive settlement began just over a year ago. The core question of the Georgian/Abkhaz conflict, namely the identification of a political status for Abkhazia acceptable to both sides, remains far from being resolved.

40. Given the intensity and proximity of the crisis in the Chechen Republic of the Russian Federation, it is likely that political efforts to address the Abkhazia issue will remain in suspense for the time being. However, in the medium and longer term, I remain convinced that negotiations between the two sides are the only way that this complex issue can be satisfactorily resolved. The present situation prevents a successful resolution of the humanitarian problems of the refugees and displaced persons. It also fails to provide the basic elements of stability and security that are essential for the eventual return of normalcy to the peoples of the region.

41. My Special Envoy stands ready to continue his mediating role, with the help of the Russian Federation as facilitator and with the active participation of OSCE. In addition, I continue to be willing to assist personally by meeting either separately or jointly with the leaders of the two sides in the interests of giving momentum to the negotiation process.

42. The current mandate of the CIS peace-keeping force will end on 15 May 1995 (S/1994/1459). I recommend to the Council that it extend UNOMIG's mandate until that date. I shall in due course submit an addendum to the present report stating the financial implications of this recommendation.



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